

- C. No PPTS provider shall resell local exchange telecommunications services. Direct dialed local exchange traffic of any nature shall be routed to the serving LEC and the charges incurred by the end-user shall be only those charges of SWBT applicable to the service. No surcharges may be imposed for access to the LEC.
- D. The PPTS instrument must allow access to all interexchange carriers which are available locally. Blocking of 950, 800 or "10XXX 0+" access codes is not allowed.
- E. Interexchange carriers and operator service providers subscribed to by a PPTS provider must be certificated by the Commission to provide intrastate service and comply with all requirements of the Commission.
- F. All PPTS providers and instruments must comply with the following requirements for service and equipment:
 - (1) The provider is responsible for the installation, maintenance and operation of the PPTS instrument.
 - (2) The provider is responsible for meeting all federal, state and local requirements with respect to provision of customer-provided telephone equipment for use by the hearing-impaired, speech-impaired and handicapped persons.
 - (3) All PPTS instruments must be registered and connected to the telephone network in compliance with Part 68 of the FCC Rules and Regulations and the PPTS provider must provide the LEC with the FCC registration number of each instrument to be connected.
 - (4) All PPTS instruments must be installed in compliance with the National Electrical Code and National Electrical Safety Code.
 - (5) All PPTS instruments must be capable of completing local and long distance calls.
 - (6) All PPTS instruments must be able to reach the operator without charge and without the use of a coin, and the instrument must be able to reach "911", where such service is available, without charge and without use of a coin. Where "911" is not available for emergency services, the instrument must prominently display instructions for reaching emergency services.
 - (7) All PPTS instruments must allow access to the "operator" and completion of "0- and 0+" local and long distance calls billed to a credit card, a third number, the called number and 10XXX 0- and 10XXX 0+ at no charge to the end-user.
 - (8) All PPTS instruments must allow access to local directory assistance at no charge.

- (9) The PPTS instrument may not limit the duration of local calls.
- (10) All PPTS coin operated instruments shall accept any combination of nickels, dimes and quarters for local and long distance calling charges. All PPTS coin operated instruments must return any deposited amount if the call is not completed.
- (11) The PPTS provider shall make all reasonable efforts to maintain a current and complete local telephone directory at each PPTS instrument.
- (12) All PPTS providers must make all reasonable efforts to minimize the extent and duration of service interruptions. PPTS instruments which are reported as being out of service must be restored to service within twenty-four (24) hours after the interruption is reported, excluding Sundays. Each PPTS provider shall have a toll free number answered twenty-four hours a day for reporting service interruptions.
- (13) No charges shall be incurred by an end-user or a called number for incomplete or unanswered calls.

Rule 4.04. Notice

Displayed on or near each PPTS instrument must be a notice containing the following information:

- A. The name, address and telephone number of the PPTS provider.
- B. The procedure for reporting service difficulties.
- C. Clear operating instructions, and the procedures for handling refunds and billing disputes.
- D. If an operator services provider is used, the notice shall comply with all Commission rules regarding notice for operator service providers.
- E. The name, address and toll free number of the Commission's Consumer Services Division for complaints regarding intrastate service.
- F. The name of the interexchange carrier.

Rule 4.05. Confinement Facilities

- A. PPTS instruments in inmate facilities shall be subject to all PPTS Rules with the following exceptions:**
- (1) Posted notice pursuant to Rule 4.04. shall not be required on or near PPTS instruments in confinement facilities.**
 - (2) The administration of the facility may restrict or block incoming calls, block access to certain telephone numbers, limit the telephone numbers inmates may call, and limit the duration of calls.**
 - (3) PPTS instruments may be programmed to block local directory assistance if a copy of a current local telephone directory is available.**
 - (4) PPTS instruments in inmate facilities may be programmed to allow only "0+" collect calls for local, and intraLATA and interLATA toll calls and to block all other calls.**
 - (5) PPTS instruments in confinement facilities are not required to comply with Rule 4.03.F.(6).**
 - (6) The rates charged for use of PPTS instruments in confinement facilities shall be subject to Rule 4.03.A. with the exception of time-of-day and day-of-week discounts.**
 - (7) PPTS providers providing service in confinement facilities are not required to comply with Rule 4.03.C.**
- B. No charges shall be incurred by the called party unless the called party clearly and affirmatively indicates a willingness to accept and pay for the call.**

SECTION 5. RATES AND SERVICES/TARIFFS

Rule 5.01. Filed With Commission; Presumed Lawful

Every Interexchange Carrier shall maintain with the Commission tariffs containing its rates for intrastate services. Certificated Interexchange Carriers' tariffs and promotional offerings shall be filed in Docket No. 95-530-A and become effective when filed. The interexchange carrier shall provide an original and four (4) copies of each filing. No Commission or Staff action on the filing is necessary.

Rule 5.02. Investigation, Complaint; Suspension

The Staff may investigate and initiate a formal inquiry regarding an interexchange carrier tariff. Such an investigation or inquiry shall not suspend the effectiveness of the tariff, unless the Commission orders otherwise. This process shall be used for complaints brought before the Commission by any party. The Commission retains the authority to review the tariffs and initiate a complaint on its own motion.

Rule 5.03. Tariff Contents

At its option, an Interexchange Carrier's tariffs need only contain simplified descriptions of services and prices. An Interexchange Carrier can incorporate by reference from its interstate tariff terms, conditions and service descriptions, so long as a simplified service description and intrastate price is included in the intrastate tariff.

Rule 5.04. Statewide Average Rates

Interexchange Carriers shall maintain statewide average rates, unless otherwise ordered by the Commission. This shall not prohibit Interexchange Carriers from maintaining separate interLATA and intraLATA toll tariffs.

SECTION 6. BILLING

Rule 6.01. Required Information

- A. Interexchange Carrier bills shall be rendered not later than ninety (90) days after service is provided. Such bills shall contain the following information:
- (1) Name and telephone number or identifying number under which service is billed.
 - (2) Any previous balance due.
 - (3) The ending date of the bill cycle or the invoice date.
 - (4) Either the due date of the bill or the total payable upon receipt and, if applicable, the date on which a late payment charge will be imposed.
 - (5) Itemization of the charges including any applicable taxes.
 - (6) Name and a toll free telephone number of the Interexchange Carrier for billing inquiries.
- B. In lieu of rendering a bill with the above-listed information, an Interexchange Carrier may file a proposed bill form for approval by the Commission. All bills shall contain the above-listed information unless otherwise ordered by the Commission.

Rule 6.02. Over- and Underbilling

Where an Interexchange Carrier has overbilled a customer, the Interexchange Carrier shall make a refund or billing credit in a subsequent billing cycle following discovery and computation of the overbilled amount. When an Interexchange Carrier bills a customer an amount correcting a previous underbilling, and it results in an undue hardship on a customer, the customer may call and make special payment arrangements, unless the underbilling was caused by unauthorized or fraudulent use or procurement of service.

Rule 6.03. Wrong Number Credit

When a customer reaches a wrong number on an intrastate toll call and promptly notifies the appropriate Interexchange Carrier representative, the Interexchange Carrier shall credit the customer's account for that call.

Rule 6.04. Prepaid Services

Prepaid services shall be permitted. Amounts received for prepaid services shall not be treated as deposits.

Rule 6.05. Deposits

Interexchange Carriers may require deposits from customers and shall pay interest thereon at the rate prescribed by the Commission.

SECTION 7. RECORDS AND REPORTS

Rule 7.01. Annual Reports

Annually, during the month of March, each Interexchange Carrier shall file a report with the Commission pursuant to Ark. Code Ann. §23-3-109. All Interexchange Carriers shall be subject to the same reporting requirements.

Rule 7.02. Other Records

All Interexchange Carriers' records required by these Rules, or necessary for the administration thereof, shall be maintained in a manner so as to be readily available to the Commission or its authorized representative upon request.

Rule 7.03. Other Reports

All Interexchange Carriers are required to file such reports as the Commission may direct from time to time.

**ARKANSAS
PUBLIC SERVICE COMMISSION**



**SPECIAL RULES
TELECOMMUNICATIONS**

SPECIAL RULES - TELECOMMUNICATIONS

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SPECIAL RULES - TELECOMMUNICATIONS

ADMINISTRATIVE HISTORY

<u>Docket</u>	<u>Date</u>	<u>Order No.</u>	<u>Subject Matter of Docket/Order</u>
U-1104	03-06-56	--	<u>Special Rules -- Telephone Companies</u> adopted.
U-2228	02-05-70	--	Comprehensive revision of the <u>Special Rules -- Telephone Companies.</u>
U-2395	01-22-73	--	General revision of the <u>Special Rules -- Telephone Companies.</u>
U-2395	02-28-73	--	Rule 3.5 amended.
U-2395	03-15-73	--	Rule 25.5 amended.
85-054-R	07-22-85	4	Comprehensive revision of <u>Special Rules -- Telephone Companies.</u> Re- named <u>Special Rules - Telecommuni- cations.</u> Republished by Order No. 5.
86-007-R	05-07-86	4	Revision of Rule 2G. All rules re- formatted, renumbered, and repub- lished by Order No. 5.
92-337-R	02-12-93	5	Adoption of an expanded interconnection of access service rule for Tier 1 LECs.
92-248-R	06-16-94	7	General Revision of these Rules.
95-255-R	06-20-95	3	Amends Rule 3.07. and adds 3.12. to require one party service and digital switching.
94-201-R	01-25-96	6	Amends definitions and Rules 1.01., 3.11., and 3.13. Eliminates Class K Carrier and incorporates Rules for Interexchange Service Providers.

DEFINITIONS

Analog Switching

A connection in which the original analog signal is routed between an input and an output port over a dedicated circuit by electronic or mechanical methods that may be central processor controlled. This type switching is characterized by the step-by-step, crossbar, and electronic switching systems.

Applicant

Any person or entity requesting utility service, except as excluded by the Exception in the Commission's General Service Rules, Section 3.01.B.

Base Rate Area

A populated geographical area within the exchange service area in which local exchange service is furnished at the same rate to all subscribers without line mileage or construction charges. A map and legal description of every base rate area must be filed as a tariff and approved by the Commission.

Business Office

A utility office where an individual may arrange for service connection, make or arrange payments on his bill, and ask questions regarding service or the status of his account.

Busy Hour

Within the busy season, the sixty minute period during which a specific central office switch processes the greatest volume of telephone traffic.

Busy Season

Within a calendar year, the period of time during which a specific central office switch processes the greatest volume of telephone traffic.

Central Office

A switching unit in a telephone system where connections are made between customers' lines, and between customers' lines and local or toll trunks. There may be more than one central office in a building.

Commission

The Arkansas Public Service Commission.

Customer

Any person or entity who has applied for and agreed to pay for utility service.

Customer Premises Equipment

Telephone equipment which is located on a customer's premises, e.g., telephone instruments, PBX switches, etc.

Customer Premises Wiring

Telephone wiring which is located on a customer's premises between the point of demarcation and the customer premises equipment.

Demarcation Point

An identifiable point at a customer's premises where operation and maintenance responsibilities end for the local exchange telephone carrier as defined in Part 68 of the Rules of the Federal Communications Commission.

Digital Switching

A connection in which digitally encoded information is routed between an input and an output port by means of time-division multiplexing or self-routing cell procedures rather than over a dedicated circuit.

Display

To have an item conspicuously available for public inspection in the public reception area of each utility business office.

Emergency

A situation in which property or human life is in jeopardy and the prompt summoning of aid is essential.

Exchange Service Area

A unit established by a telephone utility for the administration of telecommunication service in a specified area for which a separate local rate schedule is provided. It may consist of one or more central offices together with associated plant facilities used in furnishing telecommunication services in that area.

Intercept Service

A service provided by the local exchange telephone company which intercepts calls placed to a disconnected telephone number and informs the calling party of the status of the called number.

Interconnection Point

A point as close as reasonably possible to each local exchange carrier central office at which the fiber optic cable carrying an interconnector's circuits can enter. An example of an interconnection point might be the first manhole outside the local exchange carrier central office building.

Interconnector

Any party taking advantage of an expanded access service interconnection offering.

Interexchange Carrier

Any entity that is not a local exchange carrier and that provides interexchange communication services to the public for compensation in the State of Arkansas.

Interruption of Service

Temporarily stopping service for maintenance, testing, repair, or safety.

Local Exchange Carrier

A telecommunications utility that has been allocated a franchised geographic territory and certificated by the Commission to provide local network access (dial tone) to end users of telecommunications services.

Monitor and Control

The functionality inherent in the equipment designated by interconnectors that can be operated remotely. The functionality might include, but is not limited to, monitoring equipment alarms and transmission levels, performing loop around or termination tests, and rearranging channels.

Outage

An unplanned temporary loss of utility service caused by a malfunction of or damage to utility facilities. For example, a subscriber loop service outage exists if a dial tone is not obtained, signaling in either direction is disabled, or transmission standards are not maintained.

Physical Collocation

An expanded access service interconnection offering that enables interconnectors to place their equipment associated with terminating fiber optic or, where reasonably feasible, microwave radio transmission facilities within or on the local exchange carrier's central office buildings for the purpose of interconnecting with the local exchange carrier's equipment and facilities used to provide access services. The interconnector is allowed to obtain reasonable amounts of floor space, and to enter the local exchange carrier's buildings, subject to reasonable terms and conditions, to install, maintain, and repair its equipment.

Public Utility or Utility

A jurisdictional utility as defined by Ark. Code Ann. § 23-1-101.

Subscriber Loop

A telephone circuit within a local switch which provides a telephone link between a customer's service location and the serving central office.

Tariff

A rate schedule, service regulation, or other document required to be filed as a tariff by the Commission's Rules of Practice and Procedure and approved by the Commission or by operation of law.

Telecommunications Utility

Any utility or person providing any form of telecommunications service to the public where such service is subject to the jurisdiction of the Arkansas Public Service Commission.

Telephone Traffic

A measure of the number of telephone calls processed during a specific period. The measure includes the distribution in time and the duration of calls.

Tier 1 Local Exchange Carrier

A local exchange carrier having at least \$100 million in annual regulated revenues over a sustained period.

Trouble Report

Any verbal or written report given to a utility concerning an operational problem with facilities or equipment. Billing complaints shall not be considered as trouble reports for the purpose of this definition.

Utility Service

Service provided by a public utility and subject to regulation by the Commission.

Virtual Collocation

An expanded access service interconnection offering that enables interconnectors to designate equipment needed to terminate its fiber optic or, where reasonably feasible, its microwave radio transmission facilities and dedicated to the interconnectors' use for the purpose of interconnecting with the local exchange carrier's equipment and facilities used to provide access services. The local exchange carrier will install, maintain, and repair the dedicated equipment pursuant to contract or tariff. Interconnectors will have the ability to monitor and control their communication channels terminating in such equipment.

SECTION 1. APPLICABILITY AND SCOPE

Rule 1.01. Applicability

These Rules shall apply to every telecommunications utility not classified as an interexchange carrier. Accordingly, any reference to a telecommunications utility in the remainder of this document shall be understood to exclude interexchange carriers.

Rule 1.02. Purpose and Scope

- A. These Rules set forth standards for service by each telecommunications utility. These Rules are intended to ensure adequate service, prevent discrimination and unfair practices, and protect both the consumers and utilities from unreasonable demands.
- B. Any telecommunications utility service regulation, policy, procedure, rule, or service application, except those approved in special contracts by this Commission, that conflicts with these Rules is void and unlawful, unless the utility files a formal application for an exemption and the Commission approves it. These Rules are not intended to, and do not, affect or replace any Commission-approved service regulation, policy, procedure, rule, or service application of any telecommunications utility which addresses items other than those covered in these Rules.
- C. Unless the context otherwise requires, wherever the masculine gender is used in these Rules, it shall include the feminine gender.
- D. Unless the context otherwise requires, wherever the singular form of a word is used in these Rules, it shall include the plural form, and wherever the plural form is used, it shall include the singular.

Rule 1.03. Exemption from Rules

Amendments or exemptions to the Commission's Rules may be granted by the Commission in conformity with the Commission's Rules of Practice and Procedure, or as otherwise provided within these Rules.

Rule 1.04. Duties Under the Law

These Rules shall in no way relieve any person or entity of any duty under the laws of the State of Arkansas or the United States of America.

Rule 1.05. Availability of Rules

A. Utilities

(1) To Employees

Telecommunications utility employees who are responsible for the application and explanation of any of these Rules shall have ready access to those Rules which apply to their respective job responsibilities. Ready access to the Rules means that they are easily accessible to a telecommunications utility employee in his work area at the utility's offices.

(2) To Members of the Public

a. Notice to Public

Each telecommunications utility business office shall post an 8 and 1/2 inch by 11 inch notice stating that these Rules are available for public use. The notice shall be in the following form and will be provided through the Commission's Consumer Services Office:

NOTICE TO CUSTOMERS

The Arkansas Public Service Commission governs many areas of customer service for this utility. The Commission's Rules contain important information about rights and responsibilities for applicants and customers. Copies of the Commission's Rules and Commission-approved company tariffs and service regulations are on display in this office and are available for public inspection. A copy of any pertinent part of these Rules, tariffs, or service regulations is available to applicants and customers upon request.

b. Availability of Rules

These Rules and any approved additions, revisions, or exemptions to these Rules shall be on display in each telecommunications utility business office and be available for inspection. Each telecommunications utility shall provide a copy of any pertinent part of these Rules to an applicant or customer upon request.

B. Arkansas Public Service Commission

These Rules shall be on display and available for inspection in the Office of the Secretary of the Commission. A copy of the Rules will be provided to any member of the public upon request.

SECTION 2. RECORDS AND REPORTS

Rule 2.01. Location of Records

Each telecommunications utility shall maintain records within the State of Arkansas, at the offices of the telecommunications utility, or at locations outside the State of Arkansas authorized by the Commission. Such records shall be available at all reasonable hours for examination by the Commission, its representatives, or others authorized by the Commission.

Rule 2.02. Retention of Records

Records required by these Rules and orders of the Commission shall be maintained for at least the period of time designated in the most current Federal Communications Commission Rules governing preservation of records for telecommunications utilities or as specifically provided for in these Rules or orders of the Commission, whichever period of time is longer. In any event, such records shall be maintained for at least 2 years.

Rule 2.03. Test and Inspection Records

Each telecommunications utility shall make a complete record of every test or inspection made to comply with these Rules. The record shall include the time, date, place, tester, inspector, and the results. Each telecommunications utility shall maintain test and inspection records for at least 2 years, or as specified in these Rules.

Rule 2.04. Construction Records and Plans

Each telecommunications utility shall maintain copies of all construction reports and plans for a period of at least 2 years after the completion of a project. The records shall include, but not be limited to, design specifications, contracts, work orders, material placed and the associated costs.

Rule 2.05. Trouble Report Records

Each local exchange carrier shall maintain accurate records of trouble reports. The records shall be organized by month for each exchange service area. Each record shall be maintained for at least 2 years. At a minimum, each record shall include:

- (1) Appropriate identification of the person(s) reporting the trouble, and the specific geographic area;
- (2) Time and date of the initial report;
- (3) Description of the trouble;
- (4) Description of the trouble found by the local exchange carrier;
- (5) Action taken to clear the trouble; and,
- (6) Date and time the trouble was cleared.

Rule 2.06. Service Outage Records

Each telecommunications utility shall maintain records of all detected or documented service outages. Each record shall include the date, time, location, cause, extent, and duration of the outage. Each telecommunications utility shall maintain the records for at least 2 years.

Rule 2.07. Maps and Associated Records

A. System Maps

Each telecommunications utility shall maintain current maps or plans depicting plant in all service areas served by the telecommunications utility. Those maps or plans shall be in sufficient detail to enable prompt location of each line and facility owned or operated by the telecommunications utility. Each system map and its associated records shall be maintained in sufficient detail to enable the reconstruction of the system, if required.

B. Toll Route Maps

Each telecommunications utility shall maintain current toll route maps indicating the switching center served by the respective routes and depicting interconnections with other telecommunications utilities.